

No.

CR 07 00504 JW PVT

## UNITED STATES DISTRICT COURT

FILED

NORTHERN DISTRICT OF CALIFORNIA

2007 AUG -2 A 8:19

## SAN JOSE DIVISION

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

THE UNITED STATES OF AMERICA

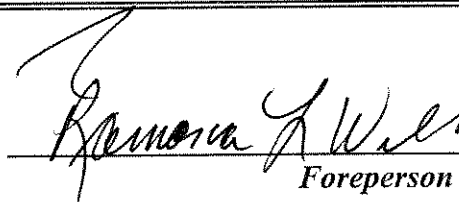
vs.

RICARDO SAEZ and  
ROLANDO BARRIENTOS

## INDICTMENT

Count One: Title 21, United States Code, Sections 846 and 841(b)(1)(B)(viii) - Conspiracy to Distribute of MethamphetamineCount Two: Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii) - Distribution of MethamphetamineCount Three: Title 18, United States Code, Sections 922(g)(1) - Felon in Possession of a Firearm.

A true bill.

  
 Foreperson
Filed in open court this 1 day of Aug 2007

A.D. 2007

  
 UNITED STATES MAGISTRATE JUDGE

Bail. \$

NO BAIL WARRANT  
RSCSA'S  
INITIALS

1e

COURT  
PROCESSING

1 SCOTT N. SCHOOLS (SCBN 9990)  
2 United States Attorney

FILED

3 ALE BY ORDER  
4 OF THE COURT

2007 AUG -2 A 8:19

5 RICHARD W. WIEKING  
6 CLERK  
7 U.S. DISTRICT COURT  
8 NO. DIST. OF CA. S.J.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12  
13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16  
17 RICARDO SAEZ and  
18 ROLANDO BARRIENTOS,

19 Defendants.

CR 07 00504 JW

No.

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VIOLATIONS: 21 U.S.C. § 846 –  
Conspiracy to Distribute Methamphetamine;  
21 U.S.C. § 841(a)(1) - Distribution of  
Methamphetamine; 18 U.S.C. § 922(g)(1) -  
Felon in Possession of Firearm

SAN JOSE VENUE

INDICTMENT

23 The Grand Jury charges:

24 COUNT ONE: (21 U.S.C. §§ 846 and 841(b)(1)(B)(viii))

25 On or about October 2, 2005, and continuing through and including October 3, 2005, in  
26 the Northern District of California, the defendants,

27 RICARDO SAEZ and  
28 ROLANDO BARRIENTOS,

INDICTMENT

1 did knowingly and intentionally conspire with other persons known and unknown to  
 2 the Grand Jury to distribute a controlled substance, to wit, 5 grams and more of  
 3 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
 4 States Code, Sections 846 and 841(b)(1)(B)(viii).

5 COUNT TWO: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(viii))

6 On or about October 3, 2005, in the Northern District of California, the defendants,

7 RICARDO SAEZ and  
 8 ROLANDO BARRIENTOS,

9 did knowingly and intentionally distribute a controlled substance, to wit, 5 grams and more of  
 10 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
 11 States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii).

12 COUNT THREE: (18 U.S.C. § 922(g)(1))

13 On or about October 3, 2005, in the Northern District of California, the defendant,

14 ROLANDO BARRIENTOS,

15 having previously been convicted of a crime punishable by imprisonment for a term exceeding  
 16 one year, did knowingly possess a firearm, to wit, a Rohm .22 caliber pistol, Model RG-66, serial  
 17 number 1C67099, in and affecting commerce, in violation of Title 18, United States Code,  
 18 Section 922(g)(1).

19 FORFEITURE ALLEGATION: (18 U.S.C. § 924(d)(1))

20 1. The factual allegations contained in Count Three of this Indictment are realleged  
 21 and incorporated as if fully set forth here.

22 2. Upon conviction of the alleged offense in Count Three above, the defendant,

23 ROLANDO BARRIENTOS,

24 shall forfeit to the United States any firearm and ammunition involved in or used in any knowing  
 25 violation of said offense, including but not limited to the following property: Rohm .22 caliber

26 //

27 //

28 //

pistol, Model RG-66, serial number 1C67099.

All in violation of Title 18, United States Code, Section 924(d)(1).


A TRUE BILL.

DATED: 8/1/07

  
FOREPERSON

SCOTT N. SCHOOLS  
United States Attorney

  
DAVID R. CALLAWAY  
Deputy Chief, San Jose Office

(Approved as to form: )

AUSA O'Connell

# DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT ☐ SUPERSEEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

## OFFENSE CHARGED

SEE ATTACHMENT TO PENALTY SHEET

2007 AUG -2 A 8:19

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S. J.

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY:

SEE ATTACHMENT TO PENALTY SHEET

CR

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S/A Robert Patrizi-ATF

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person  
Furnishing Information on  
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
(if assigned)

THOMAS M. O'CONNELL

DEFENDANT - U.S.

RICARDO SAEZ

DISTRICT COURT NUMBER

## DEFENDANT

### IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

### IS IN CUSTODY

4) ☐ On this charge

5) ☐ On another conviction

6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

Month/Day/Year

DATE OF ARREST

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

### PROCESS:

☐ SUMMONS ☐ NO PROCESS\*

☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

UNITED STATES OF AMERICA

v.

**RICARDO SAEZ and  
ROLANDO BARRIENTOS**

**ATTACHMENT TO PENALTY SHEET**

Count One: Title 21, United States Code, Sections 846 and 841(b)(1)(B)(viii) - Conspiracy to Distribute Methamphetamine

5 years imprisonment (mandatory minimum)  
40 years imprisonment (maximum)  
\$2,000,000 Fine  
4 years of supervised release  
\$100 special assessment

Count Two: Title 21, United States Code, Sections 846 and 841(b)(1)(B)(viii) - Distribution of Methamphetamine

5 years imprisonment (mandatory minimum)  
40 years imprisonment (maximum)  
\$2,000,000 Fine  
4 years of supervised release  
\$100 special assessment

Count Three: Title 21, United States Code, Sections 922(g)(1) - Felon in Possession of Firearm

10 years imprisonment  
\$250,000 Fine  
5 years of supervised release  
\$100 special assessment

# DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

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NORTHERN DISTRICT OF CALIFORNIA

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2007 AUG -2 A 8-20

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CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY:

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CR

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S/A Robert Patrizi-ATF

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☐ this prosecution relates to a pending case involving this same defendant

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SHOW  
DOCKET NO.

MAGISTRATE  
CASE NO.

Name and Office of Person  
Furnishing Information on  
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
(if assigned)

THOMAS M. O'CONNELL

DEFENDANT - U.S.

ROLANDO BARRIENTOS

DISTRICT COURT NUMBER

07 00504 JW

PVT

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If "Yes" give date filed

DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

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Defendant Address:

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Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:



UNITED STATES OF AMERICA

v.

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